



OFFICIAL GAZETTE

GOVERNMENT OF GOA

Note:- There are two Extraordinary issues to the Official Gazette, Series I No. 40 dated 4-1-2007, namely:—

- (1) *Extraordinary dated 8-1-2007 from pages 963 to 964 regarding Notification from Department of Urban Development.*
- (2) *Extraordinary (No. 2) dated 10-1-2007 from pages 965 to 966 regarding Proclamation from Department of Information Technology.*

GOVERNMENT OF GOA

Department of Education, Art & Culture

Directorate of Education

Notification

DE/Amendment/2006-07

The following draft Rules which are proposed to be made so as to further amend the Goa, Daman and Diu School Education Rules, 1986, are hereby pre-published as required by sub-section (1) of section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), for information of the persons likely to be affected hereby and notice is hereby given that the said draft Rules will be taken into consideration by the Government on the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions, if any, to the said draft Rules may be forwarded to the Director of Education, Directorate of Education, Government of Goa, Panaji-Goa, before expiry of a period of 15 days from the date of publication of this Notification in the Official Gazette, so that the same may be taken into consideration at the time of finalization of the draft Rules.

DRAFT RULES

In exercise of the powers conferred by section 29 of the Goa, Daman and Diu School Education Act, 1984 (Act 15 of 1985), the Government of

Goa, hereby makes the following rules so as to further amend the Goa, Daman and Diu School Education Rules, 1986, as follows, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Goa School Education (Amendment) Rules, 2006.

2. They shall come into force on the date of their publication in the Official Gazette.

3. *Amendment of rule 78.*— In rule 78 of the Goa, Daman and Diu School Education Rules, 1986 in the TABLE:

(i) against serial number 2, in column 5, for the existing entries thereof, the following entries shall be substituted, namely:—

(a) "A Degree from a recognized University and a Degree in Education/Teaching from a recognized University, with 7 years Teaching experience as an Assistant Teacher in the school after graduation out of which 5 years should be post B.Ed./B.T. experience; OR

(b) A Degree from a recognized University and Diploma in Education (2 years Course) of any recognized University or a diploma sanctioned as equivalent by the Government with 9 years teaching experience in the school after graduation out of which at least 7 years should be post training experience;

50% of the posts shall be filled from amongst persons having qualifications specified as at (a) above and 50% of the post shall be filled from amongst persons having qualifications specified as at (b) above".

(ii) against serial number (6), in column 5, for the existing entries thereof, the following entries shall be substituted, namely:—

(a) "Undergraduate teachers working in the secondary schools having 3 years service in the grade and possessing qualifications prescribed for direct recruits in column number (4); OR

(b) "Undergraduate teacher possessing a Degree from a recognised University and a Diploma in Education (2 years Course) and having 5 years experience out of which at least 3 years experience after obtaining Diploma in education.

50% of the posts shall be filled from amongst persons having qualifications specified as at (a) above and 50% of the posts shall be filled from amongst persons having qualifications specified as at (b) above."

By order and in the name of the Governor of Goa.

Dr. (Celsa Pinto), Director of Education.

Panaji, 2nd January, 2007.

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Department of Law & Judiciary

Legal Affairs Division

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Notification

10/2/2005-LA (Part)/1841

The Companies (Amendment) Act, 2006 (Central Act No. 23 of 2006), which has been passed by the Parliament and assented to by the President of India on 29-05-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-05-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Panaji, 12th October, 2006.

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THE COMPANIES (AMENDMENT) ACT, 2006

AN

ACT

further to amend the Companies Act, 1956.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Companies (Amendment) Act, 2006.

(2) It shall come into force on such date as the Central Government may, by notification, appoint and different dates may be appointed for different provisions of this Act.

2. *Amendment of section 253.*— In section 253 of the Companies Act, 1956 1 of 1956. (hereinafter referred to as the principal Act), the following proviso shall be inserted, namely:—

"Provided that no company shall appoint or re-appoint any individual as director of the company unless he has been allotted a Director Identification Number under section 266B."

3. *Insertion of new sections 266A, 266B, 266C, 266D, 266E, 266F and 266G.*— After section 266 of the principal Act, the following sections shall be inserted, namely:—

"Director Identification Number

266A. *Application for allotment of Director Identification Number.*— Every—

(a) individual, intending to be appointed as director of a company; or

(b) director of a company appointed before the commencement of the Companies (Amendment) Act, 2006,

shall make an application for allotment of Director Identification Number to the Central Government in such form, and manner (including electronic form) alongwith such fee, as may be prescribed:

Provided that every director, appointed before the commencement of the Companies (Amendment) Act, 2006, shall make, within sixty days of the commencement of the said Act, such application to the Central Government:

Provided further that every applicant, who has made an application under this section for allotment of a Director Identification Number, may be appointed as a director in a company, or, hold

office as director in a company till such time such applicant has been allotted the Director Identification Number.

266B. Allotment of Director Identification Number.— The Central Government shall, within one month from the receipt of the application under section 266A, allot a Director Identification Number to an applicant, in such manner as may be prescribed.

266C. Prohibition to obtain more than one Director Identification Number.— No individual, who had already been allotted a Director Identification Number under section 266B, shall apply, obtain or possess another Director Identification Number.

266D. Obligation of director to intimate Director Identification Number to concerned company or companies.— Every existing director shall, within one month of the receipt of Director Identification Number from the Central Government, intimate his Director Identification Number to the company or all companies wherein he is a director.

266E. Obligation of company to inform Director Identification Number to Registrar.— (1) Every company shall, within one week of the receipt of intimation under section 266D, furnish the Director Identification Number of all its directors to the Registrar or any other officer or authority as may be specified by the Central Government.

(2) Every intimation under sub-section (1) shall be furnished in such form and manner as may be prescribed.

266F. Obligation to indicate Director Identification Number.— Every person or company, while furnishing any return, information or particulars as are required to be furnished under this Act, shall quote the Director Identification Number in such return, information or particulars in case such return, information or particulars relate to the director or contain any reference of the director.

266G. Penalty for contravention of provisions of section 266A or section 266C or section 266D or section 266E.— If any individual or director, referred to in section 266A or section 266C or section 266D or a company referred to in section 266E, contravenes any of the provisions of those sections, every such individual or director or the

company, as the case may be, who or which, is in default, shall be punishable with fine which may extend to five thousand rupees and where the contravention is a continuing one, with a further fine which may extend to five hundred rupees for every day after the first during which the contravention continues.

Explanation.— For the purposes of sections 266A, 266B, 266C, 266D, 266E, and 266F, the Director Identification Number means an identification number which the Central Government may allot to any individual, intending to be appointed as director or to any existing directors of a company, for the purpose of his identification as such.”.

4. Insertion of new sections 610B, 610C, 610D and 610E.— After section 610A of the principal Act, the following sections shall be inserted, namely:—

“610B. *Provisions relating to filing of applications, documents inspection, etc., through electronic form.*—

(1) Notwithstanding anything contained in this Act, and without prejudice to the provisions contained in section 6 of the Information Technology Act, 2000, the Central Government may, by notification in the Official Gazette, make rules so as to require from such date as may be specified in the rules, that—

(a) such applications, balance-sheet, prospectus, return, declaration, memorandum of association, articles of association, particulars of charges, or any other particulars or document as may be required to be filed or delivered under this Act or rules made thereunder, shall be filed through the electronic form and authenticated in such manner as may be specified in the rules;

(b) such document, notice, any communication or intimation, required to be served or delivered under this Act, shall be served or delivered under this Act through the electronic form and authenticated in such manner as may be specified in the rules;

(c) such applications, balance-sheet, prospectus, return, register, memorandum of association, articles of association, particulars of charges, or any other document and return

filed under this Act or rules made thereunder shall be maintained by the Registrar in the electronic form and registered or authenticated, as the case may be, in such manner as may be specified in the rules;

(d) such inspections of the memorandum of association, articles of association, register, index, balance-sheet, return or any other document maintained in the electronic form, which is otherwise available for such inspection under this Act or rules made thereunder, may be made by any person through the electronic form as may be specified in the rules;

(e) such fees, charges or other sums payable under this Act or rules made thereunder shall be paid through the electronic form and in such manner as may be specified in the rules;

(f) the Registrar shall, register change of registered office, alteration of memorandum of association or articles of association, prospectus, issue certificate of incorporation or certificate of commencement of business, register such document, issue such certificate, record notice, receive such communication as may be required to be registered or issued or recorded or received, as the case may be, under this Act or rules made thereunder or perform duties or discharge functions or exercise powers under this Act or rules made thereunder or do any act which is by this act directed to be performed or discharged or exercised or done by the Registrar, by the electronic form, in such manner as may be specified in the rules.

(2) The Central Government may, by notification in the Official Gazette, frame a scheme to carry out the provisions specified under sub-section (1) through the electronic form:

Provided that the Central Government may appoint different dates in respect of different Registrar of Companies or Regional Directors from which such scheme shall come into force.

610C. *Power to modify Act in relation to electronic records (including the manner and form in which electronic records shall be filed).*— (1) The Central Government may, by notification in the Official Gazette, direct that any of the provisions of this Act, so far as it is required for the purpose of electronic record specified under section 610B in the electronic form,—

(a) shall not apply, in relation to the matters specified under clauses (a) to (f) of sub-section (1) of section 610B, as may be specified in the notification; or

(b) shall apply, in relation to the matters specified under clauses (a) to (f) of sub-section (1) of section 610B only with such consequential exceptions, modifications or adoptions as may be specified in the notification:

Provided that no such notification which relates to imposition of fines or other pecuniary penalties or demand or payment of fees or contravention of any of the provisions of this Act or offence shall be issued under this sub-section.

(2) A copy of every notification proposed to be issued under sub-section (1), shall be laid in draft before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in disapproving the issue of the notification or both Houses agree in making any modification in the notification, the notification shall not be issued or, as the case may be, shall be issued only in such modified form as may be agreed upon by both the Houses.

610D. *Providing of value added services through electronic form.*— The Central Government may provide such value added services through the electronic form and levy such fees as may be prescribed.

610E. *Application of provisions of Act 21 of 2000.*— All the provisions of the Information Technology Act, 2000 relating to the electronic records (including the manner and format in which the electronic records shall be filed), in so far as they are not inconsistent with this Act, shall apply, or in relation, to the records in electronic form under section 610B."

Notification

10/2/2005-LA (Part)/1842

The Cess Laws (Repealing and Amending) Act, 2006 (Central Act No. 24 of 2006), which has been passed by the Parliament and assented to by the

President of India on 1-6-2006 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 2-6-2006, is hereby published for general information of the public.

Sharad G. Marathe, Joint Secretary (Law).

Panaji, 12th October, 2006.

THE CESS LAWS (REPEALING AND AMENDING) ACT, 2006

AN

ACT

to repeal certain enactments and to amend certain other enactments relating to levy of cess on certain items.

Be it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Cess Laws (Repealing and Amending) Act, 2006.

2. *Repeal of certain enactments.*— The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

3. *Amendment of Act 26 of 1975.*— The enactment specified in the Second Schedule is hereby amended to the extent and in the manner mentioned in the fourth column thereof.

4. *Savings.*— (1) The repeal or amendment by this Act of any enactment shall not—

(a) affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

(b) affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing;

(c) affect any principle or rule of law, or established jurisdiction, form or course of

pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognised or derived by, in or from any enactment hereby repealed:

(d) revive or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

(2) The mention of particular matters in sub-section (1) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, with 10 of 1897, regard to the effect of repeals.

5. *Collection and payment of arrears of duties.*— Notwithstanding the repeal of the enactments specified in the First Schedule or the amendments in the enactment as specified in the Second Schedule, the proceeds of duties levied under the said enactments immediately preceding the date on which the Cess Laws (Repealing and Amending) Bill, 2006 receives the assent of the President,—

(i) if collected by the collecting agencies but not paid into the Reserve Bank of India; and

(ii) if not collected by the collecting agencies,

shall be paid or as the case may be, collected and paid into the Reserve Bank of India for being credited to the Consolidated Fund of India.

THE FIRST SCHEDULE

(See section 2)

Repeals

Year No.		Short title	Extent of repeal
1	2	3	4
1942	7	The Coffee Act, 1942	Section 11 and 13.
1972	13	The Marine Products Export Development Authority Act, 1972	Sections 14 and 15.
1986	3	The Agricultural and Processed Food Products Export Cess Act, 1985	The whole.
1986	11	The Spices Cess Act, 1986	The whole.

THE SECOND SCHEDULE

(See section 3)

Amendments

Year	No.	Short title	Amendments
1	2	3	4
1975	26	The Tobacco Cess Act, 1975	(i) Section 4 shall be omitted. (ii) In section 5, for the words and figures "duties of excise and customs levied under sections 3 and 4 respectively", the words and figure "duty of excise levied under section 3" shall be substituted.

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Department of Public Health

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Order

90/22/81-III/PHD(Vol.II)

Sanction of the Government is hereby conveyed for revision of diet charges for the patients undergoing treatment in the Institute of Psychiatry and Human Behaviour, Bambolim-Goa, from Rs. 20/- to Rs. 22/- per patient, per day, with immediate effect.

This issues with the concurrence of Finance (Exp.) Department, vide their U.O.No.Fin.(Exp.)/5229 dated 29-11-2006.

By order and in the name of the Governor of Goa.

S. G. Korgaokar, Under Secretary (Health).

Porvorim, 4th January, 2007.